

**PATENT**  
Attorney Docket No. 161192

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Saavedra et al.

Group Art Unit: 1615

Serial No. 08/837,812

Examiner: P. Kulkosky

Filed: April 22, 1997

For: Biopolymer-Bound Nitric Oxide-  
Releasing Compositions, Pharmaceutical  
Compositions Incorporating Same and  
Methods of Treating Biological Disorders  
Using Same

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated April 23, 1999, please consider the following remarks.

**REMARKS**

**The Office Action**

The Office Action sets forth a restriction requirement and a requirement for an election of species. Each requirement is traversed and discussed separately below.

**The Restriction Requirement**

The Office Action requires restriction of the prosecution to one invention as defined by the following two groups of patentably distinct claims:

Group I: claims 1, 5-15, and 19-27, drawn to nitric oxide group-containing copolymer compositions, classified in class 424, subclass 179.1, and

Group II: Claims 31-38, drawn to methods of treatment comprising the compounds of the invention set forth in the claims of Group I, classified in class 424, subclass 78.08.

In response to the restriction requirement, applicants provisionally elect with traverse the invention of Group I for further prosecution.

In re Application of: Saavedra et al.  
 Serial No. 08/837,812  
 Filed: April 22, 1997  
 For: Biopolymer-Bound Nitric Oxide-Releasing Compositions, Pharmaceutical Compositions Incorporating Same and Methods of Treating Biological Disorders Using Same

**ASSISTANT COMMISSIONER FOR PATENTS**  
**Washington, D.C. 20231**

Sir:

Transmitted herewith is a response to an office action in the subject application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

Petition For Extension Of Time

Applicant(s) petitions for a one-month extension of time under 37 C.F.R. § 1.136, the fee for which is \$110.00 (enclosed).

Applicant(s) believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, applicant(s) hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

No additional claim fee is required.

Other:

The claim fee has been calculated as shown below:

				SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDITIONAL CLAIM FEE	RATE	ADDITIONAL CLAIM FEE	
TOTAL	21	MINUS	29	=0	x 9=	\$	x 18=	\$0
INDEPENDENT	2	MINUS	3	=0	x 39=	\$	x 78=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM				+ 130=	\$	+ 260=	\$0	
				TOTAL	\$	TOTAL	\$0	

Please charge my Deposit Account No. 12-1216 in the amount of \$ . A duplicate copy of this sheet is attached.

A check in the amount of \$110.00 (extension fee) is attached.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By   
 Bruce M. Gagala, Reg. No. 28,844  
 One of the Attorneys for Applicant(s)

Leydig, Voit & Mayer, Ltd.  
 Two Prudential Plaza, Suite 4900  
 180 North Stetson  
 Chicago, Illinois 60601-6780  
 (312) 616-5600 (telephone)  
 (312) 616-5700 (facsimile)

In re Appln. of Saavedra et al., Serial No. 08/837,812  
Response Transmittal Form With Request for One-Month Extension of  
Time (1 p./original/1 copy)  
Response to Restriction Requirement (3 pp.)  
Check for \$110.00 (extension fee)  
Due 5/23/1999; Mailed 6/21/1999  
Case 161192  
BMG/DJS/cag

161192  
LEYDIG, VOIT & MAYER LTD.  
CHICAGO, IL 60601-6780

ASSISTANT COMMISSIONER FOR PATENTS

116874

INVOICE NUMBER	MEMO	BALANCE
1/1999 161192/NIH	EXT FEE	110.00
CHECK DATE 01/1999	CHECK NUMBER 000116874	TOTAL 110.00

LEYDIG, VOIT & MAYER LTD.  
180 N. STETSON TWO PRUDENTIAL PLAZA  
SUITE 4900 • CHICAGO, IL 60601-6780  
PH (312) 616-5600

AMERICAN NATIONAL BANK  
AND TRUST COMPANY OF CHICAGO  
CHICAGO, IL 60690

116874

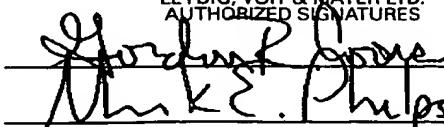
2-77/710

AMOUNT  
One Hundred Ten and No/100 Dollars

NUMBER 000116874 DATE 06/21/1999 AMOUNT \*\*\*\*\*110.00

THE ASSISTANT COMMISSIONER FOR PATENTS  
IDER

LEYDIG, VOIT & MAYER LTD.  
AUTHORIZED SIGNATURES



116874 1071000770 00885975